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C O N F I D E N T I A L SECTION 01 OF 02 ZAGREB 000834

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TAGS: [PREL](#) [EUC](#) [HR](#) [SI](#)

SUBJECT: CROATIA FEARS SLOVENIA WILL BLOCK EU ACCESSION
PROGRESS UNTIL AGREEMENT ON BILATERAL BORDER ISSUES

REF: A. LJUBLJANA 537
[1](#)B. LJUBLJANA 536
[1](#)C. LJUBLJANA 515
[1](#)D. ZAGREB 785
[1](#)E. ZAGREB 762
[1](#)F. ZAGREB 734

Classified By: Rick Holtzapple, POL/ECON, Reason 1.4 B/D

[1](#)1. (SBU) SUMMARY: Croatian officials say they are increasingly concerned that Slovenia will be unwilling to compromise on a French-brokered statement clarifying that nothing in Croatia's EU accession negotiations could prejudice the outcome of Croatia and Slovenia's bilateral border disputes. Croatia anxiously awaits the outcome of discussions in Brussels on December 4 and 5 to see if the French EU Presidency can craft language that would convince Ljubljana to lift its holds on several negotiating chapters prior to the next scheduled EU-Croatian negotiating session on December 19. END SUMMARY

[1](#)2. (C/NF) As reported reftels, Slovenia has placed a "hold" on the opening of several chapters in Croatia's EU negotiations because of Croatia's alleged inclusion of material that was prejudicial to the ongoing border dispute. A French-brokered solution reportedly involves the EU and Croatia exchanging letters expressing that the material submitted by Croatia during its EU negotiations was in no way intended to be prejudicial vis-Q-vis the ongoing border dispute. However, in a December 4 meeting with the Ambassador, MFA State Secretary Davor Bozinovic expressed concern that this compromise would not persuade Ljubljana to lift its hold on the subject chapters. MFA DG for Europe Neven Pelicaric raised similar concerns with POLCOUNS on the same day. Bozinovic's version of developments mirrored closely that reported by Embassy Ljubljana in REF A: the French had proposed a text, Slovenia had proposed amendments to that text, and the French had rejected the majority of those amendments. According to Pelicaric, the French had told the GoC that the EU could not accept the Slovene proposals, much less Croatia, and had refused to even show Croatia the text of the Slovene changes.

[1](#)3. (C/NF) The Croatians said that they had received reports of a somewhat contentious COREPER meeting at the EU in Brussels on December 3, where the French had attempted to force Slovenia to accept an only slightly amended statement, but that the Slovene PermRep had refused. The Croatians were told the negotiations continued in Brussels during December 4, with a special COREPER meeting possible, with the Croatia text as the sole agenda item, on December 5.

[1](#)4. (C/NF) The GoC contends that there is no prejudicial material in its negotiating positions, and says it would happily accept the last version of the French language it has seen. Croatian officials insist that their package includes no maps or references with any direct implication on border

issues. The Slovene objections, the Croatians say, are based on a scenario that includes checking every law or government decision that is referenced in a negotiating position, as well as any associated action plans or implementing provisions; finding provisions in those laws or decisions, or maps associated with them, that might be construed as implying a certain disposition of the border issue; and then insisting that those original laws or decisions had to be amended before the negotiating position would be acceptable. An Italian diplomat (protect) corroborates this, telling us that the Slovenes drilled down into every aspect of the negotiating package and had found some instances where such a connection could be made. He added that, if Italy had wanted to, it could have performed a similar operation and found some concerns. But, he said, Rome would never engage in such an exercise because of its support of the broader project of EU enlargement.

15. (C/NF) Both Bozinovic and Pelicaric confirmed REF A report that the initial meeting between FM Jandrokovic and new Slovene FM Zbogar in Brussels on the margins of the NATO Ministerial earlier this week had gone well. Pelicaric said they felt that Zbogar had been sincere when he said that the Slovene amendments to the French text would be non-controversial, and had been surprised when the French viewed them differently. But given Slovenia's unreadiness to accept a compromise text, both Pelicaric and Bozinovic said they were beginning to wonder whether Slovenia would ever accept Croatia's EU membership pending concessions by Zagreb over the border issue. These suspicions are shared by some others as well. A UK diplomat (protect) has also suggested that it appears increasingly likely that Slovenia may indeed

ZAGREB 00000834 002 OF 002

be willing to keep keep Croatia out of the EU unless Zagreb gives in on the border dispute, particularly Piran Bay.

16. (C) COMMENT: Last week's visit to Zagreb by Slovenian President Danilo Turk and Foreign Minister Samuel Zgobar had raised Croatian hopes that Croatian-Slovenian relations were to improve. Croatian media largely characterized the visit as positive one that could diffuse tensions between the two neighbors. This week's developments, therefore, come as an unwelcome setback. Without a doubt, if Slovenia does indeed maintain the blockade on Croatia's EU negotiations later this month, then Croatia-Slovenia relations will suffer. We agree with Embassy Ljubljana's view in REF A that a face-saving solution based on the French proposal is the most likely way out of the immediate impasse. Over the longer term, the parties had agreed in 2007 to refer the border dispute to international arbitration, which would have the positive effect of removing this bilateral issue from the EU process entirely. Unfortunately, that process also appears (REF F) to have stalled over the details. END COMMENT
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